

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION - DETROIT

Trustees of the
LABORERS PENSION TRUST FUND - DETROIT & VICINITY;
LABORERS VACATION & HOLIDAY TRUST FUND - DETROIT & VICINITY;
LABORERS METROPOLITAN DETROIT HEALTH & WELFARE FUND;
LABORERS ANNUITY FUND - DETROIT & VICINITY; and the
MICHIGAN LABORERS TRAINING FUND, trust funds established under,
and administered pursuant to, federal law,

Plaintiffs,

v.

Case No. 2-14-cv-11122
HON. GEORGE CARAM STEEH

KIRCO MANIX CONSTRUCTION, LLC,

Defendant.

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**STIPULATION AND CONSENT ORDER (I)
GRANTING PLAINTIFFS' MOTION FOR
RECONSIDERATION, AND (ii) VACATING ORDER
GRANTING DEFENDANT'S MOTION TO DISMISS
PURSUANT TO FED. R. CIV. P.12(b)(6)**

The undersigned hereby stipulate to the entry of the attached Order (I) Granting Plaintiffs' Motion for Reconsideration, and (ii) Vacating Order Granting Defendant's Motion to Dismiss Pursuant to Fed. R. Civ. P.12(b)(6).

Stipulated and Agreed:

SACHS WALDMAN

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corporation

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Dated: March 13, 2015

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Trustees of the
LABORERS PENSION TRUST FUND - DETROIT & VICINITY;
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Case No. 2-14-cv-11122
HON. GEORGE CARAM STEEH

KIRCO MANIX CONSTRUCTION, LLC,

Defendant.

**CONSENT ORDER (I) GRANTING PLAINTIFFS' MOTION FOR
RECONSIDERATION, AND (ii) VACATING ORDER GRANTING
DEFENDANT'S MOTION TO DISMISS PURSUANT TO FED. R.
CIV. P.12(b)(6)**

Pursuant to the stipulation of the parties,

IT IS HEREBY ORDERED that:

Plaintiffs' Motion for Reconsideration of this Court's August 15, 2014
Order Granting Defendant's Motion to Dismiss Pursuant to Fed. R. Civ. P. 12(b)(6)
is granted; and, accordingly that this Court's August 15, 2014 Order Granting
Defendant's Motion to Dismiss Pursuant to Fed. R. Civ. P. 12(b)(6) is vacated and
considered of no further force and effect.

DATED: March 13, 2015

s/George Caram Steeh
UNITED STATES DISTRICT JUDGE